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PATENT

Attorney Docket No.: DIVER1490-5

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Swanson, et al. Art Unit: 1645  
Serial No.: 10/027,801 Examiner Unassigned  
Filed: December 21, 2001  
Title: NUCLEIC ACIDS AND PROTEINS FROM CENARCHAEUM SYMBIOSUM

**BOX MISSING PARTS**  
Commissioner for Patents  
Washington, D.C. 20231

**RESPONSE TO NOTICE TO FILE MISSING PARTS**

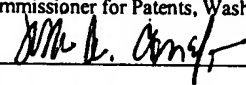
Sir:

In response to the Notice to File Missing Parts of Application mailed March 4, 2002,  
enclosed are:

1. A copy of the Notice to File Missing Parts of Application (2 pgs.);
2. Declaration for Parent Application no. 09/408,020 (7 pgs.);
3. Power of Attorney by Assignee;
4. Check in the amount of \$435.00;
5. Substitute drawings (6 pgs.); and
6. Return Postcard

**CERTIFICATION UNDER 37 CFR §1.8**

I hereby certify that the documents referred to as enclosed herein are being deposited with the United States Postal Service as first class mail on May 1, 2002, in an envelope addressed to: BOX MISSING PARTS, Commissioner for Patents, Washington, D.C. 20231

  
Lisa Corrales

In re Application of:  
Swanson, et al.  
Application No.: 10/027,801  
Filed: December 12, 2001  
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PATENT  
Attorney Docket No.: DIVER1490-5

Applicants claim small entity status in the above-identified application. Pursuant to 37 C.F.R. § 1.27, a verified statement claiming small entity status is not required.

The filing fee has been calculated as follows.

	Number Filed		Number Extra		Rate		Fee	
					Large Entity	Small Entity	Small Entity	Large Entity
Total Claims	2-20						\$0	
Independent Claims	1-3						\$0	
Multiple Dependent Claims Presented: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No							\$0	
					BASIC FEE		\$370	
					TOTAL FEE		\$370	

Enclosed is a check in the total amount of \$435.00 which includes \$65.00 for the surcharge fee and \$370.00 for the basic filing fee. The Commissioner is authorized to charge any additional fees or credit any overpayment, to Deposit Account No. 50-1355.

Respectfully submitted,

Date: May 1, 2002



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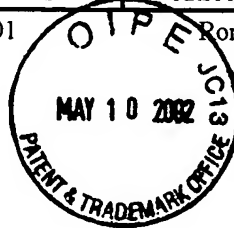


UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
 UNITED STATES PATENT AND TRADEMARK OFFICE  
 WASHINGTON, D.C. 20231  
 www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/027,801	12/21/2001	Ronald Swanson	

28213  
 GARY CARY WARE & FRIENDENRICH LLP  
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 SAN DIEGO, CA 92121-2189



CONFIRMATION NO. 9464

FORMALITIES LETTER



Date Mailed: 03/04/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 370 to complete the basic filing fee for a small entity.*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 435.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:


- Substitute drawings in compliance with 37 CFR 1.84 because:
  - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. ( 5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

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01 FD:201  
 02 FD:205

370.00 OF  
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*A copy of this notice **MUST** be returned with the reply.*

  
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Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE